

[Dalrymple (Sir John)] Address
to the Inhabitants of America,
1775

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[DALRYMPLE (SIR JOHN)]

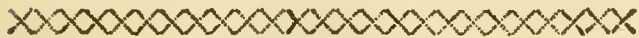
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T O T H E

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THE
ADDRESS
OF THE
People of Great - Britain
TO THE
Inhabitants of America.



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T H E
A D D R E S S
O F T H E
People of Great - Britain
T O T H E
Inhabitants of America.

FRIENDS AND COUNTRYMEN,

WE have seen the three Addresses of your Congress, the first of which is directed to us, the next to you, and the last to his Majesty. And we wish we could add that we had not seen their Address to the French Inhabitants of Quebec; because it flatters them, provided they adopt the projects of the Congress, with the protection of a religion, which the Congress in their Address to us, say, is fraught with "Impiety, Bigotry, "Persecution, Murder, and Rebellion," and therefore complain of Parliament for protecting; and because it proposes a social compact with a people, whose genius and government the Congress,

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in their addresses to you and us, represent as incompatible with freedom. But the views intended to be compassed by the last of these papers we impute to those who framed it, and not to you. For to men generous and open as you are, the integrity of whose intentions we believe corresponds to our own, we will not permit ourselves to impute insidious views or insidious arts. We give you a generous credit because we expect it from you.

In our turn, we address you, not as Foes ; not as Communities which would league yourselves with Frenchmen against us ; not as Individuals who would conceal the hatred which you have, or stab under pretence of the love which you have not ; but as our Friends and our Countrymen. God forbid these endearing appellations should ever be exchanged for those of Enemy and Traitor : for the flame of liberty which burns in our breasts we revere in yours : your services in the late wars, with the oblivion of which you reproach us, we remember well : your industry, your virtue and your piety we honour, because we believe that those who stand in awe of the estimation of their own minds, and fear their God, will seldom go far in a wrong path.

We wish we could forget, as easily as we forgive, the two modes, by which your Congress proposes to disappoint the wishes of Britain for the good of
America ;

America ; the one threatens War, the other a Suspension of Trade. We mean not to insult you ; we wish not to offend you ; we know threats would be thrown out in vain to you ; they exasperate instead of intimidating the free. But we owe to you, to ourselves, to our holy religion, and to that system of glory and liberty, involved in the united power of the British empire, and to be dissolved alone by the dissolution of its parts, and which we wish to last till time shall be no more ; to give you our thoughts upon those two modes of opposition with freedom and with truth. So may Heaven deal kindly with us and our posterity in the hour of need, as we mean kindness, and not unkindness to you and your posterity, in what we are now to say to you on these heads.

We speak first of the first of them, to wit, the Project of a warlike Opposition on your part against us ; because we will not conceal from you, it is the most alarming to us, because it ought to be so to you, and yet is not. No people situated as you are, can hope for success in war, unless they are possessed of four things before they engage in it : fortified Towns to secure the persons of their people, and intercept the incursions and advance of their enemies ; a disciplined Army to defend their lands ; a Navy to protect their seas and rivers ; and not only a great annual Revenue, but the capacity of funding it, so as by borrowing present capitals on the credit of future interests, to throw

the abilities of several years into one. And this last article is perhaps, in modern times, of more importance than all the others put together; because in modern times the success of war depends more on the longest purse than on the longest sword. Now you have not a single walled Town, nor a single disciplined Regiment, nor a single Ship of War, nor a single Fund on which monied men would lend you a month's expence of an armament; and your annual Revenue is so small, as hardly to deserve the name of one. You are Englishmen. We appeal to that good sense which distinguishes Englishmen. Lay causes and effects, circumstances and their consequences together. Can you hope for Success in such a war?

Success do we say! Your Destruction is inevitable. No country and people were ever so peculiarly ill-situated and circumstanced for a war with us, as you are at this instant. You are to encounter, after the very career of victory, that dreadful period which, inflaming military men with the remembrance of late glories and confidence of future success, raises the victors above themselves, a veteran Army, lately come from carrying Conquest wherever it carried Colours, and a veteran Navy, lately come from sweeping the seas of all enemies, in all quarters of the globe; and to measure your trifling revenue, not more than seventy-five thousand pounds a year, against that of a nation, which has a sinking fund of between two and three millions

lions a year, and which, in the last war, was able to expend Seventeen Millions in one year. Your Towns are built all to the edge of deep water, so as to be within reach not only of cannon-shot but even of pistol-shot. Your Country-houses and Estates lie generally on the banks of deep rivers. The most valuable part of your Fortunes in the Southern Provinces, is composed of slaves ready to rebel against their masters, or run away from them on the appearance of an enemy. Your Coasts, by the large inlets of bays and rivers, are easily commanded. To give only one example, two twenty-gun ships stationed at the Capes of Virginia, where the sea is not more than two or three leagues over, and another in Albemarle Sound, with two or three armed sloops to attend them, could lock up altogether the very best part of North-Carolina, and the whole of two of your noblest provinces, Virginia and Maryland, that is, a coast of Six Hundred Miles in extent. A War with Britain must expose you to calamities from which even Demons would turn their eyes. The most singular spectacle to be found in all the records of history might, in the space of one little summer, or half a summer, be exhibited in America. For in that short space of time, in a country above two thousand miles in extent, enriched with the beauties of art and of nature, and inhabited by a virtuous, polished, and free people, every Town, without the exception of one, might be reduced to ashes, by our ships of war; all your Country-houses and Estates ravaged,

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not by the slow advances of armies, but by the rapid courses of the barges of those ships; or those Towns and Estates if not destroyed, laid at least under the most grievous contributions; your Slaves lost, or become your masters; yourselves fled for protection from them to the woods, or to hide you from your own shame; your Trade annihilated; and your Vessels and Seamen captives in the ports of that enemy whose rage you had provoked. Your Demagogues, now so bold when there is no danger, would then be the first to fly from its approach; for the Valiant are modest, but the Restless and Noisy are always timid.—Your Spirit alone would be left to you: that Spirit which, judging of you by ourselves, we know we cannot Conquer but by Friendship.

Do you trust to Foreign Aids in such a conflict? We doubt not you would get them. Your and our felicity is the envy of all nations. Slaves always hate the Free. Many nations will rejoice to disturb that felicity. Sad aids! where every victory of your Allies would remind you over whom it was gained, and remove still further and further from your eyes, that sweet equality, that high station of English liberty, which you and we alone, of all human kind, once possessed. Will these Auxiliaries conquer for you and not for themselves? Will the Inquisition of Spain make a Protestant cause independent? Will the Despotism of France establish a New Empire of Liberty, after having been
stopped

stopped in her career to Universal Monarchy, by an Old one? Your Posterity will bless the memory of those Ancestors who fled from native tyrants, but curse the memory of those who subjected them to foreign ones.

In the prospect of such a struggle, do you feel nothing for our distress? in being obliged to punish those whom we pity, to crush that Spirit, in which, amidst all its errors, we recognise our own; and to counteract the ways of Providence, in rearing future Empires of Freemen, in future ages, pleasing to itself. Unhappy we! Ungenerous you! You abuse that tenderness which you know we cannot throw off for you. We dwell on the repetition of the sentiment, that we feel for you, as Nurseries of Freemen, in which God and Nature are interested, and for which to God and Nature we are responsible. We will not attempt to harden ourselves against a Remorse which we know would follow our successes against you. You need not, till a cruel extremity comes upon us, fear the sword of your Parent Country uplifted against you. Perhaps, even then it would drop from our hands bedewed with our tears, not with your blood. The Mean amongst you know this our weakness, and insult it; but from the Generous we will expect a more generous return.

With respect to the Commercial Project of Opposition, which consists in the resolution not to
export

export or import, proposed by your Congress, and perhaps, though not yet spoke out by the members of it, in resolutions not to pay the millions due by America to the British merchants, which would be the consequence of the other, if the other could take effect; you may think that by these means you may force the Mercantile Interest to desert the Cause of their Country,—strip us of our Trade and Manufactures,—reduce our West India Islands to misery from the want of Provisions, and of a market for the produce of their estates,—and by the stoppage of the usual Public Taxes to pay the interest of the public debts, bring a Public Bankruptcy upon Britain.

Be not deceived in the first of these prospects. Amidst the Disgrace of Civil Dissension preserve still National Honour, otherwise Vengeance, private as well as public, will overtake you. The Merchant whom you defraud of one part of his fortune, will not complain of being obliged to lay out another part to recover it; and too surely in the end you will repay his losses with usury. Instead of making him desert the Cause of his Country, the violation of faith will only attach him the more firmly to it. Rest not your opinions on the frivolousness of public Petitions or Addresses presented by bodies of merchants. Richard Cromwell was pressed in sixteen hundred addresses, to take that government upon him, which a few months after his Addressers took from him. Innumerable Addresses were
presented

presented to James the Second, in favour of that dispensing power, which the men who presented them, soon after converted into a Reason for de-throning him. If you wish to know the sentiments of one of those mercantile Petitioners, go to his compting-house, or dining-table: he will tell you he signed a Petition for you, because his neighbour did it, or to hurt a minister, or to appear of importance in his business, or to keep rioters in America from plundering his effects, or to prevent other people from becoming more popular in business there than himself. But ask him if he is sincere, he will laugh at your credulity; and he will have reason: for do you think he is to prefer you to himself, or bear favour to those who would turn the streams of Trade from his door, and disperse them among all neighbouring nations?

But your deception will be still more fatal in the second of the prospects which the resolutions proposed by your Congress may open to you, namely the downfall of the trade and manufactures of England. There are two essential differences between your situation and ours in the quarrel of children, which your Congress would draw both of us into. The first essential difference is, that you have no market, or hardly any market for your commodities except Britain or her dominions; but the world is our market. Whilst our merchants have large stocks and larger credit, our people much industry and more ingenuity, and while

mankind have wants natural or artificial to be supplied, our merchants will not want commissions, our ships cargoes, or our manufacturers employment. The channels of trade will be changed, but they will not be dried up. The other essential difference is, that every stoppage of your trade will be a loss to you; but in many articles, and these the most material, the loss will fall not upon us but upon others. For example, if you salt not your usual quantity of fish and other provisions, because you will not send them to our West Indies or to England, you will not indeed have occasion for the quantity of salt which has been usually imported into America; but the loss will fall on other countries; for we send you no salt. If your southern provinces will not take Osnaburghs from Britain for the clothing of their slaves, nine-tenths of the loss will fall not on us, but on Germany; for we are accustomed to send you only a trifling quantity of our own making. We repeat it again, we wish not to offend, we mean not to threaten; but since we have mentioned these two articles, we must let you know that an Act of Parliament which should prohibit the importation of them, and of one other article, to wit molasses, into America, would desolate your provinces without the aid of armies or navies—if you receive no Osnaburghs, the most valuable part of the stock on your estates in the southern Provinces, your slaves, must waste away by diseases—if you receive no salt, the most valuable part of your wealth in the northern, and even in some of your southern provinces, your herds and
fish,

fish, will be of little more use than to cover your dunghills. Your poor would suffer from the want of salt provisions on which they chiefly live; and we doubt, accustomed to the use of salt as Europeans are, whether either rich or poor could live without salt, more than without water.—If you receive not molasses, the circulation of the greatest branch of your internal commerce and manufactures must stop, from the North to the South and from the South to the North; and yet the loss of the molasses trade to you would be no loss to our West India islands, because it is well known to yourselves, that nine-tenths of the molasses which you consume, are French and not English.

When the effects of the powers which we have to become your executioners would be so fatal unto you, do you imagine that we can believe that you will execute yourselves? Communities, as well as individuals, have indeed sometimes their periods of frenzy. During such periods you may, by the stoppage of trade, do much mischief to us, and we to you. But the mischief which you can do to us is finite, that which we can do to you is infinite.

The third consequence of the resolutions proposed by your Congress, namely, the miseries to be inflicted by means of them upon our West India islands, would recoil with double force upon yourselves. Your Congress have got you enemies enough, do not strive to multiply them. You depend more on those islands, than they do upon

you. Without them you would be without even a market for the most lucrative part of the produce of your estates, your provisions and lumber. Men do not break glass windows with guineas. The vast balance on your trade to those Islands shows what you would suffer in the loss of it.

If you hope, upon the breach of trade with us and our dominions, to get salt, osnaburghs and molasses from other countries, or their plantations, your hopes will be in vain. Do you think that our planters or we would sit quietly down, and see the system of the navigation laws violated, to injure them and defraud us? We have hitherto connived at the pilfering smuggling of thieves, but we should then chastise the smuggling of robbers like the other actions of robbers. We have had indulgences for you in the hours of friendship; do you think we should continue them in those of defiance?

If the last and greatest of all the four calamities which your congress foresees in imagination, namely a national bankruptcy, should fall upon us, where would be your gain? Have you or your relations no fortunes in our funds to suffer by their ruin. If our revenues and credit should fall to the ground, who would defend you, as we did in the former wars, against France and Spain? Who defend you, against the deluges perhaps of more northern nations, who might pour upon the distant provinces of England, when she was unable to defend them,

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as their ancestors did upon those of Imperial Rome? The languishing provinces of Rome looked up in vain for help to a languishing head; that head could give them none: for weakened by the disobedience and disaffection of the provinces, she stood in need of protection for herself.

Instead then of listening to projects of war, or of suspension of commerce, assert your own reason in your own cause, and trust it not to the passions of others. We do not wonder, that with the vast Atlantic Ocean between you and us, to prevent a mutual communication of sentiments, mutual misapprehensions of the sentiments of each other should have arisen. When great interests are at stake, and those who are engaged in them are free, and therefore high-minded, jealousies, points of pride, misunderstandings, are inevitable for a time. But when each party is in the right in some things, and neither in the wrong in all, these, and the effects of them, last only for a time; the cloud passes away, and the sun shines forth again.

Let us examine the subjects of difference between us.

You complain of us, because in a declaratory statute Parliament asserted a right to bind you by its regulations *in all cases whatever*; and we complain of you, because you assert that Parliament has no right to bind you *in any case whatever*. But it was you who first set up the last of these pretensions, and
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you forced Parliament, in order to provide against encroachments, until limits were constitutionally settled, to meet it with the first. But claims so widely worded are words, and no more. In the votes of your Assemblies, and the declaratory words of our statute, they stand only as records that there have been unhappy differences between England and her Colonies: for surely you mean not by your assertion to preclude Parliament from the power of disabling you to ruin England, nor we in ours to give it a power of ruining America. There was a time when our ancestors seemed to differ as much about the terms *resistance* and *non-resistance* relatively to the rights of the subject, as their posterity do now upon the terms *supremacy* and *independence* relatively to the rights of Great Britain and America. Yet they in reality could only differ about the degree of provocation which justified resistance, and we in reality can only differ about the extent to which the exercise of the claims of the two countries may be carried. The Revolution, with the explanations it led to, discovered to them, that *they* agreed upon the degree of the one; and the present emergency, with the explanations to which it should lead, may perhaps discover to us, that *we* agree upon the other.

If, indeed, under the objection to the supremacy of Britain, you mean to deny to the executive part of our constitution, to the King, the power of appointing those officers of revenue, law, and government, whom he has been accustomed to appoint,

point, of putting a negative upon the bills of your Assemblies, of sending forces for the protection of his subjects and dominions, with the other usual powers of the crown ; if you mean to deny to the judicial part of our constitution, the right of a supreme court of judicature in England, to receive appeals from your courts of justice ; if you mean to deny to the legislative part of our constitution, to the Parliament, the power to regulate your commerce for the mutual benefit of both countries ; we shall indeed stake the fate of the British Empire on the contest ; not for our own interests alone, but for yours and those of human kind : for if you are permitted to throw off these badges of supremacy, as madmen may call them, you are that instant independent states : you will form yourselves into independent principalities, republics, and we fear anarchies. A new political system will arise, not in Europe alone, but in the World. Foreign nations will intrigue in your assemblies : you will engage in wars with them, with us, and with your sister provinces. This is not all. In governments formed suddenly, and which therefore must be imperfect, you will fall into dissensions among yourselves ; so that all the miseries of foreign, of civil, and of domestic war, will be accumulated on your heads. We wish that your Congress, which is so learned in the principles of the great Montesquieu, were equally learned in the condition of the Greek states, during the Peloponnesian war, a condition exactly similar to what yours would be, as described by the great Thucydides. The individuals

viduals of it would there learn, that those demagogues who, from restlessness of temper, or ambition of making themselves conspicuous above others, plunged their countries into disorders and calamities, were often the first to fall by the hands of their countrymen.

But if you mean, under the objection to the supremacy of Great Britain, to deny her the exercise of the power of imposing taxes upon you without the consent of your Assemblies, the exemption you contend for deserves a very different attention.—If you claim it as a matter of right derived from authority, we must refuse you ; because no charter, except one of one province, gives it to you, and long practice and many statutes have taken it from you ; and because the position, that there can be no taxation where there is no representation, is a jingle of words, in which, in point of reasoning, the conclusion does not follow from the premises, and which is disproved, in point of fact, by many instances of men who have been taxed, though not represented, in this kingdom.—If you assert it under the claim of equitable consideration, we must also refuse you ; because you are bound to support that state which protects you ; because other nations extend their revenues as they extend their dominions ; because the taxes imposed upon you were to have been applied within your own provinces, and for your own safeties, and not for ours ; and because your abilities even to share our burthens are unquestionable, seeing, that when eight millions

millions of us pay ten millions of taxes, which amounts to twenty-five shillings on each person, three millions of you pay only seventy-five thousand pounds, or sixpence on each person; and this in a country where a labouring man gets three times the wages that he does in England, and yet may live on half the expence. When you tell us you are unable to pay taxes, pardon us for once in this Address, if we tell you that we do not believe you.—But if you appeal to the rights of human nature, and the great interests of society, we bow to those your sacred protectors. We can find no line between the use and abuse of taxing you without the consent of your own Assemblies. We revere the Prince on the throne, and know our liberties to be safe in his hands; but we cannot be certain of a succession of royal virtue in all ages to come; and we can anticipate occasions when a Prince may, even by means of Parliament, venture to do things, which he would not have ventured upon by himself; as Tiberius by his senates did what Nero dared not to do by his guards. In such a case, though charters, practice, statutes, and even equitable consideration, warrant us to retain the exercise of the power of taxation over you, we desire to throw it from us, as unworthy of you to be subject to, and of us to possess. We will not degrade you, because in your exaltation our own is involved; we desire only to be secured that you will yourselves make provision for your own safety and defence. If this has not been done sooner, the fault was your

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own. You connected your claim of not being taxed with so many other claims, that it became impossible for us to make the concession which we wished, from the danger of its being made a precedent for extorting other concessions, to which we could not yield without doing a mischief even to those who claimed them.

It has been the fortune, perhaps the peculiar one of Britain, that from apparent mischiefs real good has arisen ; and convulsions, terrifying at first, have only paved the way for preventing their return. From the late differences, it is the fault of us both if we do not derive future agreement. That agreement is best to be insured by some great act of state, which, on the principles of mutual dependence, shall form a system of common interest and happiness, and remove, as far as human wisdom can look forward, the probability of future differences. Whether your Assemblies shall, in a constitutional way, make the first advance to Parliament to effectuate that measure, or Parliament shall make the first advance to you, by sending a Parliamentary commission to America, is immaterial : the first honour will belong to the party which shall first scorn punctilio in so noble a cause.

When the other subjects of dispute, unconnected with that of taxation, come to be canvassed by those who shall be authorized to give and receive suggestions for removing them, they will find, per-
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haps with surprife, of how little confequence the difputed points are, and how eafy to be adjusted.

Of thefe there feem to be chiefly three.

The firft of them arifes from the restraints laid by the regulations of Parliament upon your trade and manufacture for the advantage of ours. But are not we laid under fimilar restraints in thefe refpects for the advantage of yours? For you we fubmit to monopolies; for you lay restraints on our trade; for you we are taxed; and for you impofe fimilar hardships upon other parts of our dominions. We fhall only felect a few inftances out of many. The landed man is prohibited from raifing Tobacco at home, and the merchant difabled to import it with advantage from abroad, in order to give a monopoly of the commodity to you, and at their expence; for the one could raife, and the other import Tobacco, at a much cheaper price than they get it from you. We give vaft Bounties on the importation of your Flax, Hemp, Timber, and Naval Stores, to the detriment of thofe who raife them at home, to whom we give none. Our Merchants are reftained by prohibitions, or duties equivalent to prohibitions, from importing Rice, Indigo, and many other articles of the produce of your Eftates, in order to give you a Monopoly of thofe articles, although they could bring them much cheaper from other nations. We give a bounty upon the

importation of Indigo, and continue it upon exportation, by which accumulated favour, we first give you a premium to import, and then enable you, by the advantage of a double market, to raise the price upon us afterwards. Our West-India Islands were restrained from taking provisions or timber from other countries, in order to secure a Monopoly of those articles to you, at their expence; who complained not of restraints which they shared with their Mother Country for your good. Our own Merchants are subject to duties on the importation of foreign commodities, but it is you who draw them back; so that they pay a tax, and you receive a premium in this exchange of commodities. If we lately imposed a trifling tax upon you to be spent among yourselves, we have taxed ourselves to an hundred times the value of it to pay Bounties to you. These Bounties hurt our revenue not only in the loss of the money paid out, but by stopping the importation from other nations of the articles on which they are granted, and consequently the taxes which would have been paid on those articles. In some instances we hurt both our revenue and our trade to serve you. Thus in the present reign the duties were taken off American whale fins, by which those duties were lost to government, and the interest of the British whale-fishing sacrificed to that of America. Nay, it is notorious, that Mr. Grenville intended to have taken the bounties off the British whale-fishing altogether,

together, in order to secure the superiority of the whale-fishing to you, although the British whale-fishery produces 300,000*l.* a year, and maintains 3000 seamen, and a great number of shipwrights and other artificers. The only thing that stopped the project was, the disorders which arose in America; for these led men naturally to reflect how imprudent it would be, to confer favours which were repaid with ingratitude, or perhaps looked upon as indignities. But we yield to those monopolies, restraints, taxes, and preferences, because we know they are necessary to fasten the vast chain of commerce which is thrown across the Atlantic between America and England.—Those restraints are not peculiar to you in dealing with us, nor to us in dealing with you. We impose them on ourselves in dealing with ourselves: for example, the whole landed interest, and that of every inhabitant who wears a suit of clothes, is sacrificed to the mercantile and manufacturing Interests, in the regulations of Parliament concerning Wool; for the landlord cannot export the wool of his sheep, nor the inhabitant import the woollen cloths of other countries, though the one could sell his wool to foreigners much dearer than to those who have thus got a monopoly of it, and the other buy cloth much cheaper from them than from his countrymen.—In some of those regulations which affect ourselves only, Parliament sometimes commits mistakes; but they are remedied as soon as felt and pointed out. Perhaps in
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some of those regulations which affect you relatively to us, or us relatively to you, mistakes in commercial principles have also been committed; in some instances you are perhaps restrained too much, and in others too little: but in the great Act of State which we allude to, these mistakes can by commercial principles be corrected. For it is your and our solid security, that your Assemblies and our Parliaments cannot injure those whom they represent without hurting themselves, nor injure you without hurting us, nor us without hurting you. It will not be difficult for Merchants on both sides to suggest favours which we ought not to refuse to you, and limitations which you ought not to refuse to us. And we pray for some great and liberal commercial arrangement, which may remain a monument to future ages, that though there was once, there was but once, the appearance of a quarrel between Great Britain and her Colonies.

The next ground of your complaints, in point of consequence, is, that the King and Parliament interfere in other objects of your internal Legislation, new model your Assemblies, and alter your Charters.

Hereagain it will be your own fault, if in adjusting the terms of the Act of State we have mentioned, order shall not arise out of disorder, and a
great

great judicial and legislative arrangement accompany a commercial one.—In Virginia the Justices of the Peace and your Governor and Council are your only Judges. The former sit only once a month ; from them there lies an appeal to the Governor and Council, formed into a Court of Judicature, which sits only in April and October, and only twenty days at each time, and which it is not unknown to us, is at this day in arrears above six years in its law business. It is no affront to either of these bodies of men to say, that however upright or able they may be, they can know little of law. In the infant state of your society this administration of Justice was perhaps the best; but is not applicable to a state of society, in which the modifications of the actions of mankind, and consequently of rights and delinquencies founded on these, are infinite in extent. This impotent state of law has given room not only for the present disorders in Virginia, but for their appearing greater than they are; for the Justices dare not officiate at all, even although they were willing; and the Mob are turned the Governors instead of the Governed. It has been so in every country since this world began, in which dignity, independence, power, and even splendor has not been thrown around the seats of Justice, to strike with awe the imaginations of the meanest, and with the necessity of obedience even the highest. A similar imperfection in the state of Law and Police pervades,

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we are afraid, many of your other Provinces. In few of them are your Judges for life, or supported by appointments which can give even rank to their offices; the inevitable consequence of which cannot fail to be, that they must be the Slaves either of those who appoint them, or of the Mob, instead of the Masters of both. These are the very rocks on which the Grecian Republics were shipwrecked; for the spirits of Free Men are high, and therefore mutinous, and are to be kept from disorder only by the laws. But where the Administration of these is weak, there is no security for the Property, Person, or Honour of any one. In lamenting this defect in the condition of your society we plead the cause of Human Nature, not our own. You of inferior orders need the protection of independent and powerful Courts of Justice to defend you against the high; and you of superior stations need it to defend you against the low. Both of you best know how far it is safe and honourable to depend upon Jurisconsults of the Tar-and-Feather order. You have tried the experiment, and smarted by it.—You will be told we mean to enslave you by law. We scorn to answer the insinuation. It is our pride as Britons to be slaves to the law, but free in every thing else. If you suspect us, appoint your own Judges, pay them your own salaries, or share the appointment and payment with the Crown. To us these points are immaterial, but let your Judges be for
life,

life, with incomes suited to their stations; and in their independence your own will be secured.

On this head it is your interest more than ours, to correct all errors in the Constitutions of your General Assemblies, and of your Charters. Most of your Constitutions were formed by accident, not by fore-thought. Some of your Charters hardly deserve the name. If we are in the wrong in thinking so, let them stand as they are. But if we are in the right, correct them like men. Common sense will shew you, without our doing it, that they should be modelled by the rules of common sense. The best of Princes will contribute his part, and Parliament theirs, to comply with your desires for every alteration which can lead to Justice, Order, and your own Interest; and we the people of England will applaud them when they do.

When you shall thus have obtained a regular Administration of Law, Police, and Government amongst you, we shall not be afraid of your holding your Estates and Trade, and we the Debts due to us out of both, by the uncertain tenure of Chance, or of Democratical Anarchy, which is worse than Chance; and we shall have little occasion to interfere in your Internal, Judicial, or Legislative Arrangements. The great rule, which you do not dispute, that your laws are not to be incompatible with the law of England, and that

the Crown has or ought to have a negative upon the Bills of your Assemblies, in the same way that it has upon the Bills of our Lords and Commons, will secure us sufficiently against Innovations.

The only remaining general subject of contest, so far as we can see, is the power of the Crown to send troops amongst you without consent of your Assemblies. Perhaps even this delicate point might be adjusted. For you have as much an interest to be defended, as we have to defend you. On your part it might be yielded, that a certain number of British forces should be supported in America without consent of the Assemblies, and on ours, that no more should be sent except in times of War or actual Rebellion.

If these great commercial, judicial, legislative, and military arrangements were agreed upon, we might leave the provision for them to yourselves; or at least be contented with a standing revenue to be now ascertained between your Assemblies and Parliament. For though we give up the disgraceful and odious privilege of taxing you, you cannot be ignorant that you must establish revenues, as all other countries do, to support your establishments.

The deluded amongst you think that we assume airs of superiority over you even where they are needless. Far from it; every honour of this
Country

Country is open to you. We should even be happy to see you ask the establishment of a Nobility, and of ranks among yourselves, that your spirits might not only be inflamed by the love of Liberty, but exalted by the love of Family. The whole history of mankind presents not a state of society, notwithstanding all the imperfections it is charged with, so fraught with liberty, safety, wealth, and honour, as that of England is. Approach to it, fly not from it. All human kind envy it. Reject not, you, what others pray for from Heaven.

With such sentiments of kindness in our breasts towards you, and we hope in yours towards us, we cannot, in the reign of the most virtuous of Princes, hear without the deepest concern, a charge made in the Addresses of your Congress, that a system has been formed and pursued in the reign of that Prince, to enslave you by means of Parliament; and we wish it had not been added, as a previous step to enslave us.

To vindicate the proceedings of Parliament where they ought not to be blamed, and to point out where perhaps they may without difficulty be amended, is the best way to expose the fallacy of that charge, and at the same time to shew you how easy it is to remove such remaining subjects of difference between us, as have not yet been taken notice of in this Address.

It is a cruel mistake for you, ninety-nine of an hundred of whom must be unacquainted with the history of laws, to be made believe, that there were no statutes before the reign of his present Majesty, which imposed taxes on any part of the American dominions. Those who tell you there were none, know full well there were many. Your ancestors complained of some of them, as all men do of all taxes, but they never disputed the power of Parliament to impose them *.

The last war was begun for the sake of English America. It was terminated by a security gained for it at the Peace, which imagination itself could not have hoped for. England was loaded with an immense public debt, contracted in this great American cause. By the Peace a new system was created in America; and an empire set in motion, which it was obvious could not be supported without a regular Revenue. At this period Mr. Grenville became the Minister of England, not so much perhaps from the choice of Government, as from the force of Opposition, which obliged another Minister to give way to him. Mr. Grenville's life of labour had been spent in attention to the finances of the British Empire; those finances, which, next to the enjoyment of liberty, do above all

* 25 Cha. II. cap. 7. 7 & 8 W. & M. cap. 22. 9 Ann. cap. 10. 1 Geo. I. cap. 12. 6 Geo. II. cap. 13. and others.

other things give the superiority to Britain above all other nations. At such a period, had such a Minister proposed to make America liable for that part of the public debt of England, which had been contracted in defending her, it would be ungenerous to his memory, to impute his doing so, to a design of enslaving America, in order to enslave his own Country; that country, the care of whose rights employed even his latest hours. But he carried not his views so far as to subject America to a share of the burden even of that debt, and much less of the other debts of England. He only prevailed upon Parliament, in the fourth year of the King, to impose Taxes upon sundry foreign commodities imported into America, the produce of which taxes was to be spent in the Colonies, and confined to the service of the Colonies; and these taxes were external ones, that is to say, Port-duties, which every one might avoid, by not importing the goods on which they were laid, or not buying them when imported. No American complained of this at the time as an imposition of slavery. You paid the taxes as your ancestors had done other necessary ones. If in imposing these taxes he erred in opinion concerning a matter of right, you erred against it too; for you called it not in question. If error was venial in you, why was it criminal in him? It is hard that you should *now* convert into a scheme to enslave you, what you *then* deemed consistent with your freedom.

In

In the succeeding year, the same Minister, on the same principles of giving security to a new and growing Empire, the machine of which could not even stand, and much less move without revenues to support it, prevailed upon Parliament to pass the Stamp Act. The produce of the duties was by the Act to be spent in the Colonies, and applied solely to their service.

America clamoured against this last Act. These clamours originated among the Lawyers there, whom the tax chiefly affected; and they were taken up in England by the opposers of the Minister; two classes of men, the first of whom, by their profession, have always the abilities, and the other, in the pursuit of their ambition, the interest to disseminate clamour. But in these clamours, extensive as they afterwards became, though flowing from Nature, and kept up by Art, no American made an objection to the right of England to impose external duties upon America. You called for the repeal of the Stamp Act which imposed internal duties; but you did not ask the repeal of the Port-duties which had the year before been laid upon you.

Lord Rockingham's Administration, which rose on the ruin of Mr. Grenville's, repealed the Stamp Act; but did not repeal the Act which had imposed the Port-duties. We do not pry with a jaundiced eye into the motives of that Administration

tion for the first of those measures ; we impute them to the best motives ; because we believe that there are in a party of which his Lordship is the leader, men of Spanish honour and Roman virtue ; although we must tell you, that you deceive yourselves grossly, when you look up to persons as the only assertors of American liberty, who took off only one of what you call your Chains, but left the other fast on your necks. But if you incline to pay compliments to an Administration which we do not complain of, it is rather unfair in you to refuse them to that Prince, by whose nod alone they were permitted to do any thing. If there has been a system in the present reign to enslave you, the repeal even of one of those two statutes affords an instance that it was not very systematically pursued.

Soon after this repeal, Lord Rockingham's Administration got an Act of Parliament passed, which declared the Supremacy of Parliament over America, *in all cases whatsoever*. You cannot convert this Statute into a link of the chain which you think is intended to enthrall you, when you reflect that it was forged by those whom your Congress and yourselves look upon as the great assertors of your liberty.

As you had not hitherto claimed a right of exemption from the power of Parliament to impose
external

external taxes upon you, Ministers could not think of rights which yourselves had never dreamed of. In the Ministry which succeeded to that of Lord Rockingham, an Act of Parliament was passed in the seventh year of the King, which laid Port-du-ties in America upon some other objects of commerce than those which were contained in Mr. Grenville's first Act of the fourth of the King. This Act was so little a link in the chain of system against you, that all those who were then the King's Ministers have since denied in full Parliament all concern in the fabric of it; and they are entitled to credit, because they are now engaged in different parties, and each would lay the blame on his neighbour, if he could with any truth. It was at the time notorious to all, that the project of the Act was the work of a single person, Mr. Townsend, then Chancellor of the Exchequer, who, in matters of Trade and Finance, is well known to have consulted more with Merchants and Financiers than with Ministers, because he thought every man knew his own business best; and in whose great talents Parliament put too implicit a confidence in passing the Act.

America again clamoured; and then for the first time objected to the power of external taxation in Parliament. But she went further, and started many new pretensions which we wish not to repeat, and among others the extravagant doctrines
that

that she was not bound by the Navigation Laws, and that she was even independent of Parliament altogether. These clamours were well-founded in part; for all the taxes in the Statute, except that upon Tea, had been laid upon British manufactures, which consequently had already paid many taxes in Britain, so that the Statute loaded you both with your tax and ours. Administration and Parliament therefore listened with sense and justice to your complaints, and redressed them, by repealing those parts of the Act which had imposed that double tax. But it was improper, in point of common prudence, to repeal that part of it which imposed a trifling tax upon Tea; because, by asking that repeal, at the very time when you were not asking the repeal of the many Port-duties imposed by Mr. Grenville's first Act of the fourth of the King, you shewed that you insisted on this trifle as a matter of mere pride; as a mark of your exaltation and of our humiliation; which it was impossible for England to submit to, while the great questions of independence and supremacy were yet undisturbed, however compatible they might seem when with temper and reason they should come to be discussed. If Mr. Townsend's Act was a link in the system of this reign to enslave you, the repeal of it affords another instance that it was not very systematically pursued.

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Your

Your Congress complains of a Statute which, during the Duke of Grafton's Administration, suspended the Assembly of New York as a continuation of the system of tyranny. We will appeal to your candour against their want of it. Parliament had passed a Statute which made necessary regulations for the quarters and provisions of the King's soldiers in America; regulations to which we, who are as fond of liberty as you are, pay obedience in Britain, because we think that men who submit to lose part of their own freedom for a time, in order to ensure it to their countrymen for ever, are entitled to all the sensibility which we can shew to them. But these regulations were entirely infringed by an Act of the Assembly of New-York. If that Assembly took upon itself to repeal one Act of Parliament, they might have repealed many others; and the subject who obeyed the legislature of the one country, must have been a rebel in the eyes of the other. These consequences led directly, unavoidably, and rapidly to a civil-war between the inhabitants of New York and the people of England. There was no way to stop the course of such an Assembly, but to suspend its movements altogether, until it should agree to remedy the mischiefs it had done. The effect answered the design. The Assembly recovered the good-humour of Englishmen to Englishmen, and the people their Assembly. Can a law which conferred the common rights of humanity upon the companions of
your

your hazards and glories, who conquered with you and for you, be called a violation of the rights of Human Nature against you? Can another which prevented a civil war be reproached with want of mercy?

When mens minds are irritated, every thing is the source of discontent. Many of the Traders in America had long complained of the distance of the London Custom-house, which upon disputes with revenue officers, made applications for redress expensive and tedious. Smuggling had gone beyond all bounds in America, from the want of a Board of Customs to keep a strict eye over the conduct of their officers. A Board of Customs was upon these accounts by Act of Parliament settled at Boston in the seventh year of the King. But that establishment, which the fair Trader had long desired, and the Smuggler alone had reason to dread, has been converted, in the representations of your Congress, into a badge of your slavery. As long as we did not establish a Board of Customs in America, we were blamed for neglecting you. When we send it, we are charged with insulting you. If Boards of Revenue be badges of slavery, no nation that has wealth is free. Should we recall the present Board of Customs, your posterity might tell our posterity, that a Board of Customs over the trade of America, at three thousand miles distance from her, was one of the most ignominious badges

of her slavery. It is certainly for the interest of the supremacy of England to place the residence of all the controuling powers, in England, in order to keep her Colonies, even by the forms of office, in remembrance of their dependence ; and it is not difficult in the royal governments, to lodge in the Governor of every Province, with a few of his council, all the powers of a Board of Customs over the frauds of trade, and all its terrors over the frauds of officers. And therefore pardon us if we suspect, should any great commercial arrangement ever be the subject of amicable discussion between you and us, that the inspection of the trade of America committed to a Custom-house residing in England, is one of the last favours which the fair trader in America would apply for.

But in describing the powers of this Board of Customs, your Congress ought not to have said in their Addresses to their sovereign, and you, that “ the Commissioners of it are impowered to break open and enter houses without the authority of any civil magistrate, founded on legal information.” We are certain that the Board of Customs in America has no such power by law. We cannot think that their superiors here would direct them to assume it against law. We do not believe they exercise it. But if we are mistaken, point out the offenders. The vengeance of an injured Public will overtake them. But till you point out

out these, lay not the offence obliquely upon others who you know must be guiltless.

Your Congress complains of the statutes passed during former administrations of the present reign, to regulate the Admiralty and Vice-admiralty courts of America, which, they say, extend the jurisdiction of those courts beyond their ancient limits, deprive you of a trial by jury, authorise the judges certificate to indemnify the prosecutor in revenue questions from damages, require oppressive security from the claimant of a seizure before he shall be allowed to defend his property, and provide salaries and fees for the judges from the effects to be condemned by themselves.

This bundle is large, and must be separated. If these be intolerable hardships, your ancestors shared in some, and we share in more of them, without complaining.

Before the date of those statutes, each, or almost each Province, had its own Admiralty-court: but these had so little dignity, and from their local connexions were so much liable to be swayed either by the officer or the smuggler, that they were the continual subject of complaint to both. The Americans complained too of the circumstance, that the salaries of the Judges of those Courts
arose

arose from the fines and forfeitures imposed by themselves. Lastly, they complained that a Court of Appeal in England was too distant from America. To relieve their complaints, four great Vice-admiralty Courts were, in consequence of the statutes in question, erected in different stations in America. Judges were appointed to them of known abilities and character. Large salaries were settled upon the Judges to make them independent. These salaries were paid not from the fines and forfeitures, but in the common way; and to save the trouble and expence of appealing to England, a power of receiving appeals was lodged in these Courts. Those are the offences which, in the institution of the new courts, have been committed. Your Congress complains then of the favours granted to the intreaties of their own countrymen. If you think that these Courts are too distant from each other, they can, by the erection of more, be caused to approach. The impropriety in the original Provincial Admiralty Courts, of the Judges receiving their salaries from the fines, can be removed.

With regard again to the mode of trial without a jury in those Courts, in revenue questions, it has subsisted in America since the statute in the 22d and 23d of Charles the Second, which established it. Your ancestors submitted to it, because they favoured the fair trader, and did not

desire to see an opening given for the trial of a smuggling cargo by a jury of smugglers. With all the strength of this mode of trial, Government has found it weak to support the fair trader by the punishment of the illicit one; and we cannot consent to have it abolished, till we see another equally efficient substituted in its room. Permit us to remind you, that the far greatest part of revenue questions in this country, that is, most of the Excise ones, are not tried by jury at all. Permit us also to remind you, that in Ireland, offences against the Revenue of Customs are tried by the summary Excise laws, and not by Jury; and so sensible are the Irish of the necessity of doing so, that Parliamentary Oppositions, violent as they are in that country, never complain of it. They know and acknowledge, that as long as Custom-house causes were tried by Juries, the illicit trader was continually acquitted to the ruin of the fair one. When you wish for impartial justice, we wish for no more; and therefore, if you desire the trial by jury in revenue questions, you must take along with it a court of Exchequer in which that jury is to act, and by which to be controlled, as we do in England.

When you complain of the latitude given in the Admiralty Courts to try in one place a seizure made in another, you complain of the Laws of England, Scotland, and Ireland, in all of which,
a seizure

a seizure made in one country can be tried in another, and brought from the extremity of the kingdom to be tried in the capital. When the Judge in America gives a certificate of the probable cause of seizure, to protect the prosecutor from damages, he does no more than the Judge in England is, by many Acts of Parliament, entitled to do. When the claimant of a seizure is obliged in America to find security before he prosecutes his claim, he does no more than the claimant in England by Act of Parliament is obliged to do. It is unfair to impute the last of these regulations to the present reign; for it took place by Act of Parliament in a former reign, to wit, in that of King George the First. When your Congress attempts to inflame you by the enumeration of such particulars, they ought to have told you, that the freest people upon earth submit to them, because they find them all too little to encourage those who trade fairly, at the expence of those who do not.

Perhaps, with a greater semblance of justice, but not with the solidity of it, your Congress complains of the resolutions of the two houses of Parliament, which about six years ago gave force to the old laws of Henry the VIII. by declaring that treasons and misprisions of treason committed in America, might be tried in England. In these resolutions,

resolutions, there was surely no novelty or stretch in law to reach you. The Scotch rebels were tried for their treasons, not in the kingdom in which their crime was committed: the Suffex smugglers were tried for their treasons, not in the county in which their crime was committed. The murderers of Mr. Park, Governour of the Leeward Islands, in the beginning of this century, were tried for their treason, not in the quarter of the globe in which the crime was committed; for he was murdered in the West Indies, and they were tried in London; and tried too under the authority of that very act of Henry the Eighth, which your Congress would make you believe had now for the first time been revived to oppress you. A similar rule of law is universal among all modern nations which have colonies, and was so among all ancient ones. It is founded on the great interests of society, which make it necessary, that in crimes which affect the existence of the state, the arm of the state should be felt to the very extremity of her dominions. It is founded even upon a tenderness to the criminal and to juries; for death inflicted by his friends is the more painful to him; and the necessity upon friends to inflict it, if they break not their oath, is the more humiliating to them. Had the Duke of Monmouth's adherents been brought to their trials in London, even before Jefferys, the effects of them would neither have been so unpopular nor so bloody,

as when they were permitted to rage in counties obnoxious, subdued, and where every Juryman thought he threw guilt off himself by laying it on his neighbour. The rule of law declared by the Houses is universal through every other part of the British dominions, in Europe, Asia, and Africa. Where is the Statute, the Charter, the Act of Assembly, or the Practice, which exempted America from it? If none such is to be found, why is England accused of making a stretch when she made none? She declared the validity of her old laws: it would be well for her sons that modern whimsies were not listened to in their place.

A Court of Commission and Inquiry in Rhode-Island was the consequence of those resolutions. This Court wanted not objects. There are among you who know that you escaped its justice by its mercy, while you complain of its violence. Government often throws a veil over secrets which the indiscretion of individuals would uncover. It holds proofs in its hands, but publishes them not. King William was surrounded all his lifetime in Holland and in England with treasons which he knew of. He contented himself with disappointing them, but scarcely ever shed blood: We ask you two questions, Have no violences against Government been seen in America since the institution of that commission? Has any man been
1
imprisoned,

imprisoned, fined, or executed in consequence of a commission, which in the hands of some of your former Princes would have caused all America to tremble? That Court was the creature of policy and mercy. It was sent to deter men from the commission of crimes by the fear of punishment, but not to punish. It was only a Court of Inquiry, not of Trial, and the violences which were its objects, because imputable to passion and mistakes in opinion, have since been forgiven.

Yet even these resolutions of the Houses of Parliament on the most important of all subjects, however supported by the authority of other nations, and apparently necessary in our own, may be also the subject of fortunate regulation between us. If you will bring with you the same willingness to punish rebellion justly, which we shall bring with us not to punish the mere picture of it unjustly, we cannot well differ. Afraid of treason laws as we are, in a nation which admits in some extreme cases of the lawfulness of resistance, you know us little, if you think that we will forge chains for you, which may be transferred from you to ourselves.

There remains yet one other Statute of former administrations to be mentioned. Several of your Assemblies had passed acts and votes, making the paper currency of the Province a legal tender in

payment of debt, although that currency was in many places not one-fifth in value of the money which the creditor had advanced : And these votes and acts were procured by the influence of those who had an interest to gain by a fraud which equally cheated the American inhabitants and the British merchant. Parliament, with English honesty and English honour, passed an act, which, by declaring such tenders of payment to be void in law, removed disgrace from the transactions of your private business. Was this an infringement of American liberty ? It has been called so. Let God and your own consciences determine between us if it was.

While your minds were not yet recovered from the false alarms, which had been spread on account of those statutes and resolutions, the bankruptcy of the East India Company happened ; an event which gave room for the Minister who succeeded to those we have mentioned, in the mutual connection of interests on which the prosperity of the British Empire hangs, to relieve the distresses of that Company, and at the same time to make compensation to you for all the wrongs you imagined you had suffered ; and this by an act of indulgence to both. He embraced the occasion, and succeeded in persuading Parliament to give a drawback of the greatest part of the British duties upon Teas which should be imported into America.

The

The East Indies and America (as a Member of the House of Commons, who is no enemy to America, once eloquently expressed himself,) are the two wings on which the eagle of British commerce soars to the skies. By this indulgence a great market was opened for the Company's Teas, with which the Company was at that time over-stocked; a power was given to the fair trader of America to beat the French, Dutch, and Danish smuggler out of the field; and the inhabitant of America was furnished with Teas from England at a cheaper rate than they were furnished to ourselves; because we paid a tax, but he drew it back. We believe there were few persons in England, who did not believe at the time that the expedient was a wise, and would be a fortunate one.

How that favour has been received, what passed when these Teas were imported to Boston, we wish we could not remember. Holland and Switzerland, as well as France and Spain, would have called it rebellion. But we only called it tumult and insurrection. But to prevent these from swelling into rebellion, provisionary laws were required; and these your Congress has converted likewise into imaginary links of an imaginary chain to enslave you; let us see with what justice.

We begin with the regulations which affected the town of Boston.

One

One sure mark of tyranny is to drive the subjects to despair, that, under the pretence of punishing the effects of that despair, they may get the power of stripping them for ever of the power of resistance. Did Parliament act in this manner to the people of Boston? What were the great punishments inflicted, by the atrocity of which the people of that town were to be driven to draw down greater upon themselves? Two. The Custom-house was removed. The Trade of the Town was suspended. Was a Custom-house in safety in a place where the Commissioners had been obliged to take refuge in the King's ships? Was the Trade of England safe in a place where the property of one of her greatest Companies was destroyed in the face of day?—Tyranny is also to be known by the duration of the marks of her violence. For how many ages was the punishment inflicted on Boston to last? Until those who had committed the outrage should have the honour and honesty to repair it; that is to say, not for an hour, if the people of Boston had reflected that true pride consists in making reparation for injuries, not in committing and persisting in them. That is surely an easy punishment from which the Criminal may escape by only doing his duty. Parliament left an open door for reconciliation. If the people of Boston would not enter, who has been in the fault?

The

The next provisional Statute complained of, is that which enabled those who should be engaged in the suppression of Tumults in Massachusetts Bay, to claim a trial in England, if they were questioned for having done their duty. Those who kill in England after the Mob Act is read, are entitled to an acquittal: but all that the Statute in question did, was to entitle those who were equally entitled to protection, to a trial in their own country. This was a law not of policy but necessity; for was it proper that those who asserted the authority of the laws in America, should be tried by the very persons who denied the validity of those laws and the authority of the Magistrates who supported them? Was it just to expose the Lives and Honours of men to the mercy of Juries who declared that they looked upon them as Enemies? The law which knocks at every man's breast, without his going to a law-book to look for it, cries aloud: "Let not the accused party suffer by him who has an interest or a passion to condemn him." This law is called in inflammatory language, an Amnesty for the murderers of America. Yet it reached only a limited district in which there were insurrections, and was to last only for a necessary and limited time. Was the American prosecutor afraid that the offender might escape from the want of evidence against him at three thousand miles distance? The Statute relieved him of his fears: for it provided that the witnesses

whom

whom he called should attend to prove his charge. Did the witness complain of the hardship of his attendance, even in aid of the most sublime of human virtues, Justice? The Statute provided that his charges should be born at the public expence. In every provision of the Act, the timorous hand of freedom is to be seen, which trembles even in saving a community, lest it should injure an individual.

But our Ministers know that true wisdom lies not in obstinacy, they pretend not to infallibility; if they do, they will be no favourites of ours; and it is in your own power to prevent their asking from Parliament the continuance of a Statute which was so necessary, but withal so unpopular. By a great judicial and legislative arrangement let a regular administration of Law, Police, and Government be established among you, worthy of yourselves, and this subject of contest will die of itself; for we shall expect the same justice in your Courts, which you well know you are sure of in ours. We told you, we would give you a generous credit, because we expected to receive it from you in return: as a proof of our doing so, we are conscious of no fears that you would abuse our confidence, although in cases of tumults, we should, instead of bringing the prisoners to England, leave the trial to Committees of your own Assemblies, in which we believe, and believe firmly, that sentiments of honour would prevail over those of party in ingenuous minds. If it did

did not, we should not complain of acquittals, even though founded in prejudice, and the power of the Crown to pardon would save those whom the injustice of party had condemned.

The next of the late Statutes complained of is, that which altered the Charter of Massachusetts Bay, so far as to give the nomination of the Council to the King, instead of leaving it with the House of Representatives. The great Affector of our Liberties King William, even without Act of Parliament, or legal process, resumed the Governments of Pennsylvania and Maryland into his own hands, because those who possessed them had broke the conditions on which they were granted, by violating the laws, though not in so great a degree as the people of Massachusetts Bay have done. George the First, in the same situation did the same thing, with regard to the Government of South-Carolina *. Queen Anne, without Act of Parliament or legal process, took the command of the Connecticut and Rhode-Island militias from the Governors of those Provinces, in whom their Charters had placed it, and gave the command of the one to the Governor of New-York, and of the other to the Governor of Massachusetts-Bay ; because it was deemed dangerous and impolitic to commit the power of the sword to the same hand which held that of Government in a Province. The

* The evidence of these resumptions is soon to be published.

Statute you complain of did not revoke the Charter of Massachusetts Bay; it only brought its constitution to resemble that of England more nearly than it did. The most perfect idea of Government that ever was framed is that of a King, a House of Lords, or Great Council, which owes its honours to the King, and a House of Representatives, who owe their honours to the People. But in the Constitution of Massachusetts Bay there were only two orders, to wit, that of Governor, and of the House of Representatives; seeing the intermediate order, to wit, the Council, was chosen by the House of Representatives, and was therefore no more than one of its Committees: with this advantage on the part of the House of Representatives against the executive power, that that Committee had all the weight and powers which should have appertained to the intermediate order. The disordered State of the Province called aloud for a Constitution, which in this Country is the great security of Order. But this approach to the perfection of Liberty your Congress calls Slavery. The alteration was indeed not temporary but perpetual, because it was obvious that without some such alteration, a perpetuity of tranquillity could not be insured. If you think that the office of Counsellor should be for life, instead of depending upon the pleasure of the Crown, perhaps we agree with you: had you hereditary ranks, we could not differ at all. Instead of pulling down, raise up. Suggest

gest what you want, to make your various Constitutions perfect. Your wishes will not be refused you, if they are what they should be. The dispute about the alteration of the Constitution of one Colony would be buried in oblivion, if at your own desire, and with your own consent, all bad things were taken from all of them, and all good things put into them.

The last provisionary law of the same Minister, which you complain of, is that which provides for the quartering of the troops. This law, not of policy but necessity, and without which the troops would be no better, in times of disorder and danger, than Statues, was to last only a few months, that is, while disorder and danger called for it. The Romans, who of all nations watched the most to preserve the liberties of the low and the dignities of the great, gave up often, by chusing a dictator in times of danger, all the honours of both for a while, that they might enjoy them for ever. Their Senates, which were rather Assemblies of Gods than of Men, went further; for in times of civil commotion, they gave powers even to their Consuls, *Ne quid detrimenti respublica capiat*. Mark these great strokes of great policy; and then ask your own minds, whether a permission to English troops, acting in the cause of their Country, to sleep under cover, instead of the open air, be a violation of American liberty?

We wish we had no occasion to mention your complaints of the Statute which adjusted the limits and the government of the Province of Quebec. It affected not your boundaries, for it contains a clause that it shall not affect the boundary of any other Colony. It gave the enjoyment of French Laws to French Men, who declared that they could not live without them. It gave toleration, that fairest flower of cultivated humanity, (as a Member of the House of Commons well expressed it,) to English subjects. It injured nobody. And we hope it pleased our God, though it pleased not your Congress. We marvel much, how that Congress has omitted to send one Address to the inhabitants of Bengal, to rise in rebellion against us, because we have not conferred upon them all the honours of English liberty, which they are not asking; and another to their fellow-subjects in England, to reproach them for permitting the Gentoo religion to exist in that part of their dominions.

We wish also, for the sake of private honour, which your Congress ought not to have lost sight of, even in the cause of the Public, that they had not deceived you, by converting a Statute past in the time of the present Administration, for the security of your and our bulwarks, his Majesty's ships and dock-yards, into a battery erected and levelled against American liberties. A short time before this Statute was passed, a great national calamity

lamity by a fire, which was suspected to be wilful, at Portsmouth, called for a new law with new penalties to prevent such disasters for the future. Capital punishment was inflicted by the Statute in question, upon those who should wilfully set on fire the King's ships or dock-yards. Nobody was thinking of America at the time. England, or rather Portsmouth and the other naval arsenals, engaged alone the attention of the Public. But the Statute in common form and common policy was made to extend over all the dominions of Britain ; and the crime, like all other great crimes, was made punishable in Britain, although not committed within it. We ask you, If you can in your consciences believe, that this Statute was a contrivance framed on purpose to oppress you ? And if you cannot, we ask you, What you must think of those men who would make you believe that it was ?

From this review of the proceedings of Parliament relative to America, since the fourth of the King down to this day, we submit to the candour of American breasts, whether your Congress were in the right, in common charity, to convey an idea from the Gulph of St. Lawrence to the Mouth of the Mississippi, that there had been a system formed and pursued in the present reign, to rob all America of all her liberties. Our own defence from so foul an aspersion we have not mingled, in reviewing these proceedings, with the interests of this or
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that party, of this or that minister ; interests, with all the little politics and little posts depending on them, which we hold mighty cheap in comparison of our own great interests in the question that subsists between you and us, and not as they fancy, triflers as they are, between them and each other. We wish your Congress had observed the same conduct, and not disgraced, with the stale party strokes of this country, the great interests of their own. They would not in that case have paid compliments to a Minister, who once said in full Parliament, that he would not permit even the hob-nail of a horse's shoe to be made in America, at the expence of another Minister, who never had it in his power to do you either good or evil, except by a peace, which might have raised America to the skies, had not too many of her own sons pulled her down again.

Perhaps your Congress may think it wise to mingle the interests of America with those of party in this country, from a notion that you will be made sharers in the rewards of party victories, to which you contributed. But they are mistaken. Those who raise the whirlwind may not direct the storm. There are only three ways in this country by which any party can obtain that power at which every party aims; the favour of the Crown, the favour of Parliament, or the favour of the People. Do you think those men have a
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claim to the favour of the Crown, who, in the disputes between you and us, have endeavoured to pay compliments to the King's personal power at the expence of his authority, and to mark his reign with the loss of dominions, which with so much glory he extended? Can they expect the esteem and confidence of Parliament who have called in question its rights, denied its powers over its own Provinces, and who assert, that a House of Representatives in America, in concurrence with the King, can do what the Houses of Lords and Commons in concurrence with him cannot do? Can they hope to please the People of England, who are pursuing measures which may lead to a civil war between England and her Colonies?

But even in their victory, where would be your gain? Whoever trusts to the gratitude of party, trusts to a support which, like a reed, has failed under all who ever rested upon it. Many of those who now make use of you as a weapon of party, to force themselves into power, would, as soon as they were in it, let you fall to the ground. We have a right to warn you of these things, because we have seen oppositions in this reign animate one part of the United Kingdoms against another; the People of England, the ancient supporters of Parliament, against Parliament; and the City of London, the ancient supporters of the House of Commons, against the House of Commons.

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It is your own fault, if, with such examples before your eyes, you permit America to be tilted against England, to gratify the ambition, or even the virtue, of any set of men upon earth. In the successes which you wish for, others will gain; but it is you who will be the losers: for the whole history of English party shews, that the men who trampled most on the Crown in the service of the People, trampled most on the People when in the service of the Crown; it being natural for them, in present obsequiousness, to hope for the oblivion of past provocations, and to go further than their neighbours in one way, because they had gone too far in the other. We need not call the example of Lord Strafford to your remembrance. There are men now living, who raised themselves to power by inveighing against continental connexions, and then half ruined their country to support them.—Trust not then to the slender and broken reed of party; trust to your country; that country which has too often been deceived, but never deceives. Instead of being the tools of particular members of party, show them that they have been no more than your tools. Take the good which they have helped to procure for you, but avoid the mischiefs into which they would bring you.

While this Address was printing, an event has happened, which may convince you who are your real friends or foes in this country. A fortnight ago,

ago, the Houses of Lords and Commons in Addresses to the Throne, expressed their sentiments of the rebellious state of too many of your Provinces, but withal their wishes, to receive advances on your part to pacification, whenever they should be made in a constitutional manner. Those who call themselves your friends in Parliament opposed even the last part of the Address, because they said it was deluding you with the idea of an accommodation which was not intended to be granted. But in order to carry that part of the Address into execution, and to convert the words of it into the measures which had been the objects of those words, a resolution was within these few days proposed in the House of Commons, and adopted, which should express the intention of the House to levy no past, and impose no future duties as long as you should yourselves contribute to the expence to be incurred for your own public service. By this resolution, the danger so long dreaded by you, that Taxes in America would be converted into a revenue for Britain, is removed. The resolution, indeed, reserves a power in Parliament of imposing duties for the regulation of trade; a power which is absolutely necessary to be exerted, for the interests of trade itself; but then, to prevent the abuse of this power, the produce of these duties is to go, not to the account of Great Britain, but to the exoneration of the provision made by the Colony for its own service. It is in your

own power to make the security of America complete in all its parts; for if you desire that the quota to be furnished by you, for your service, shall not be arbitrary, but rise and fall with the *quantum* of the land-tax, or of some of the great known taxes of England taken *in cumulo*; we do not think that your desire in that respect would be refused; and then it would be impossible for us to tax you without taxing ourselves at the same time, and in the same proportion. We will give praise where praise is due. The Minister who proposed this Resolution could not fail to see two dangers to himself in the measure. The first was, to differ from such friends as might think that higher measures ought to be pursued; and the next was, to be exposed to the charge of having varied his measures; a charge to which every man who accommodates his conduct to circumstances, instead of pretending to infallibility, must be exposed to, yet still an humiliating one even to the best man adopting even the best measure. But in the cause of his country he regarded nothing but his country. Some part of the line of accommodation proposed in the Resolution was first traced by yourselves, and often repeated. It had been adopted, and often pressed for by those who call themselves your friends in Parliament. The Minister who moved for it had therefore reason to hope, that when he met them on their own ground, and granted their own desires, they

would in your and their Country's cause, have forgot their animosity to him, and all those little objects of Party, the pursuit of which is falsely called Ambition. Did they upon this occasion meet that Minister half-way in the generous struggle who should do you most good, or avert from you most evil? No! they threw behind them all your interests. They attended to those of their own Party alone, which they think are more concerned in defeating a Minister, than saving a Nation. They refused for you that favour which yourselves had solicited; opposed that measure which themselves had adopted; and did what they could to perpetuate dissensions in which themselves might be gainers. They were so blinded by the habit of opposition, and the triumph of spying even imaginary inconsistency in the Minister whom they opposed, that they did not perceive how miserably they must sink in your esteem for sacrificing your advantages to their own weaknesses.—Are *these* your friends?—Were *those* your enemies?—If the contrast between the conduct of the one and of the other does not open your eyes, you must be blind as moles, or with your own wills shut them against the sun.

But there are men among yourselves against whom you ought to be equally on your guard. It is hard, that the charge of our intending to
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enslave you, should come oftenest from the mouths of those Lawyers who, in your Southern Provinces at least, have long made you slaves to themselves. There is scarce one of us acquainted with an American, who has not been told by him, that there is no region on earth in which the people are so much oppressed by the extortions of Lawyers, as in many parts of America; a circumstance as unfortunate for us as for you in the present disputes, because we are to expect, that men who gain by uncertainty and disorder, will for ever oppose every attempt to a regular administration of law, police, and government, which must diminish their own importance; and it is not to be hoped that they should spare either the Mother-Country or her Colonies as communities, who never shewed mercy to the Individuals of either.

Having shewn you in this Address, that the projects of your Congress for war or suspension of trade would recoil on yourselves; that all the subjects of difference between you and us are easily reconcileable; that His Majesty's reign has been falsely accused of a system to enslave you; and that many of your pretended friends may prove your worst enemies; we pray that you may trust to your own reason on the topics of this Address; and if you do, we shall hope, before a very few months run round, to hear that Peace is restored to your Minds, and Order to your Provinces.

